

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

No. MJ 15-486

In re Material Witness:

DETENTION ORDER
Material Witness

BROOKE P. NIELSON.

Offense charged: Material Witness

Date of Detention Hearing: November 24, 2015.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f) and 3144, and based upon the factual findings and statement of reasons hereafter set forth, finds that detention is necessary to adequately secure the testimony of the material witness, and to prevent a failure of justice.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Material Witness was arrested on a material witness warrant in a matter currently pending before the grand jury, upon a finding that she had material evidence to provide and that it was impracticable to secure her presence by subpoena. She made her initial appearance in this Court on November 23, 2015.

(2) The United States has moved to detain Material Witness pursuant to 18 U.S.C.

§ 3144 pending her appearance before the grand jury.

(3) The material witness is viewed as a risk of nonappearance based on her failure to appear for previously scheduled appearances, and a substantial history of failures to appear, serious on-going substance abuse issues, and no verified release plan.

(4) The Court finds that further detention is necessary to prevent a failure of justice. The material witness will be detained until her testimony can adequately be secured.

It is therefore ORDERED:

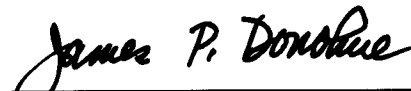
(1) The material witness shall be detained pending her testimony before the Grand Jury;

(2) The material witness shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which material witness is confined shall deliver the material witness to a United States Marshal for the purpose of an appearance in connection with a court proceeding or for providing testimony in connection with a case pending in this court; and

(4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the material witness, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 24th day of November, 2015.


JAMES P. DONOHUE
United States Magistrate Judge